

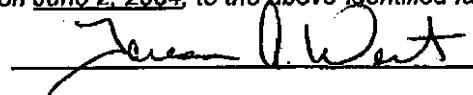
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Number of Pages Including this Page: 11

1) Information Disclosure Statement (4 pgs.) (orig.

&amp; copy)

Inventor(s): David Dale McKay, et al.

2) Form PTO-SB08A (2 pgs.)

S.N.: 10/766,538

3)

Filed: January 28, 2004

4)

Case: 7533C

5)

Comments:

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Name Teresa A. Wett  
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JUN 02 2004

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P&amp;G Case 7533C

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: :  
**DAVID DALE MCKAY, ET AL.** : Confirmation No.  
 Serial No.: 10/766,538 : Group Art Unit  
 Filed: January 28, 2004 : Examiner

For: Low Viscosity Bilayer Disrupted Softening Composition For Tissue Paper

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1.  37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2.  37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

3.  37 C.F.R. §1.97(b)(4) - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). Applicants have not received a first Office Action after filing a Request For Continued Examination (RCE). Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

4.  37 C.F.R. §1.97(c) with fee payment - (use when filing IDS after receipt of first Office Action, and before receipt of Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

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**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

(1) (For use with applications filed prior to or on June 30, 2003.) Copies of the cited documents are enclosed.

OR

(2) (For use with applications filed after June 30, 2003.) In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

OR

(3) All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. 7533, U.S. Patent Application Serial No. 09/586,270, filed November 30, 2000. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

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(4) Copies of all said documents, except Cite Numbers \_\_\_\_\_, were submitted and considered in parent application U.S. Patent Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

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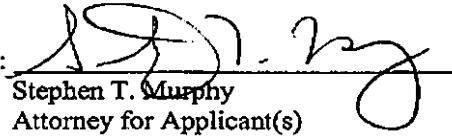
(6) Applicants also respectfully request the Examiner to consider and make of record the co-pending applications listed on the attached page.

Additional information is attached.

Respectfully submitted,

**FOR: DAVID DALE MCKAY, ET AL.**

By:

  
Stephen T. Murphy  
Attorney for Applicant(s)  
Registration No. 42,917  
(513) 634-4268

Date: 2 June 2004  
**Customer No. 27752**  
(IDS.doc) (Last Revised 10/10/03)

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents in the U.S. Patent and Trademark Office on <u>June 2, 2004</u>	
Name	<u>Teresa A. Wert</u>
Signature	<u>Teresa A. Wert</u>

P&amp;G Case 7533C

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: :  
**DAVID DALE MCKAY, ET AL.** : Confirmation No.  
Serial No.: 10/766,538 : Group Art Unit  
Filed: January 28, 2004 : Examiner

For: Low Viscosity Bilayer Disrupted Softening Composition For Tissue Paper

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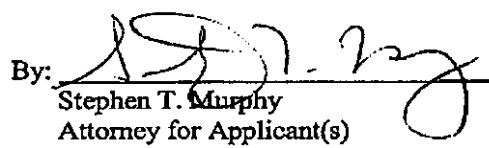
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Respectfully submitted,

**FOR: DAVID DALE MCKAY, ET AL.**

By: 

Stephen T. Murphy  
Attorney for Applicant(s)  
Registration No. 42,917  
(513) 634-4268

Date: 2 June 2004  
**Customer No. 27752**  
(IDS.doc) (Last Revised 10/10/03)

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 2

Application Number	10/766,538
Confirmation Number	
Filing Date	January 28, 2004
First Named Inventor	David D. McKay et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	7533C

## U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	U.S. PATENT DOCUMENT Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		SIR H1672		Hermans et al.	08-05-1997	
		3,301,746		Sanford et al.	01-31-1967	
		3,473,576		Amneus	10-21-1969	
		3,573,164		Friedberg et al.	03-30-1971	
		3,700,623		Keim	10-24-1972	
		3,772,076		Keim	11-13-1973	
		3,812,000		Salvucci, Jr. et al.	05-21-1974	
		3,821,068		Shaw et al.	06-28-1974	
		3,974,025		Ayers	08-10-1976	
		4,011,389		Langdon et al.	03-08-1977	
		4,191,609		Trokhann	03-04-1980	
		4,208,459		Becker et al.	06-17-1980	
		4,239,065		Trokhann	12-16-1980	
		4,300,981		Carstens	11-17-1981	
		4,476,323		Hellsten et al.	10-09-1984	
		4,497,716		Tai	02-05-1985	
		4,528,239		Trokhann	07-09-1985	
		4,637,859		Trokhann	01-20-1987	
		4,793,943		Haslop et al.	12-27-1988	
		4,874,465		Cochrane et al.	10-17-1989	
		4,981,557		Bjorkquist	01-01-1991	
		5,059,282		Ampulski et al.	10-22-1991	
		5,215,626		Ampulski et al.	06-01-1993	
		5,221,435		Smith	06-22-1993	
		5,228,954		Vinson et al.	07-20-1993	
		5,246,545		Ampulski et al.	09-21-1993	
		5,264,082		Phan et al.	11-23-1993	
		5,296,024		Hutcheson	03-22-1994	
		5,405,499		Vinson	04-11-1995	
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		5,415,737		Phan et al.	05-15-1995	
		5,447,644		Guenin et al.	09-05-1995	
		5,474,689		Laughlin et al.	12-12-1995	
		5,487,813		Vinson et al.	01-30-1996	
		5,510,000		Phan et al.	04-23-1996	
		5,525,345		Warner et al.	06-11-1996	
		5,538,595		Trokhann et al.	07-23-1996	
		5,543,067		Phan et al.	08-06-1996	
		5,573,637		Ampulski et al.	11-12-1996	
		5,611,890		Vinson et al.	03-18-1997	
		5,656,132		Farrington et al.	08-12-1997	
		5,672,248		Wendt et al.	09-30-1997	
		5,747,443		Wahl et al.	05-05-1998	
		5,753,079		Keys et al.	05-19-1998	
		5,814,188		Ficke et al.	09-29-1998	
		5,841,188		Murasawa	11-24-1998	

PTO/SB08A (08-00)

Approved for use through 10/31/2002 OMB 0651-0031

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Application Number	10/766,538
Confirmation Number	
Filing Date	January 28, 2004
First Named Inventor	David D. McKay et al.
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SHEET 2 of 2

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		6,126,784		Ficke et al.	10-03-2000	
		6,162,329		Vinson et al.	12-19-2000	
		6,228,223		Thebrin et al.	05-08-2001	

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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	FOREIGN PATENT DOCUMENT Office <sup>3</sup> Number <sup>4</sup>	Kind Code <sup>5</sup> (If known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		EP 0 617 164 A1		Hyland et al.	09-28-1994		
		EP 0 688 901 A2		Funk et al.	12-27-1995		
		EP 0 896 045 A1		Thebrin et al.	02-10-1999		

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese documents, the indication of the year of the reign of the Empéror must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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